



PATENT
1321-12 PCT US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bright et al. Group Art Unit: 1626
Serial No.: 10/518,878 Examiner: Rei Tsang Shiao
Filed: August 1, 2005 Dated: October 30, 2007
For: LOW ACIDITY PHOSPHATE ESTERS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

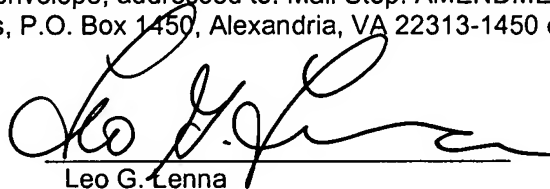
Dear Sirs:

This is in response to the Restriction Requirement mailed October 2, 2007, which set a shortened statutory period of one month for response. This response is filed timely upon mailing with an executed Certificate of mailing on or before November 2, 2007.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop: AMENDMENT, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Dated: October 30, 2007


Leo G. Lenna

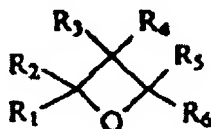
In the Office Action, the Examiner has stated the present application contains more than one invention, "which are not so linked as to form a single inventive concept under PCT Rule 13.1". The Examiner also stated that the "claims herein lack unity of invention under PCT rule 13.1 and 13.2". However, as stated in the International Preliminary Examination Report attached herewith as Exhibit A, unity of invention was found under PCT rule 13.1 and 13.2 and all claims were searched in a single application. The claims in the International application are the same as the claims in the present application. Therefore, the Applicants respectfully traverse the finding of lack of unity of the present invention.

It directly follows that the Applicants respectfully traverse the restriction requirement set forth by the Examiner in that, as acknowledged in the International Preliminary Examination Report, unity of invention is clear on the face of the claims. Accordingly, it is respectfully asserted that the claims are closely related, and therefore, would require common areas of search and consideration. Thus, not only would there be no benefit derived from maintaining the restriction requirement would, in fact, be in conflict with the finding of unity by the International Preliminary Examination Report.

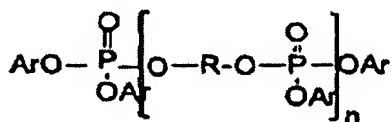
In view of the foregoing, the Applicants respectfully traverse the restriction requirement and request that the restriction requirement be withdrawn.

In an effort to be fully responsive, Applicants hereby elect Group I with traverse for continued prosecution in the above-identified application. Group I is

directed to Claims 1-9, in part, drawn to compounds/compositions of Claim 1,
wherein the oxetane compound represents the compounds of the formula



and the phosphate ester compounds represent the compounds of the formula



thereof.

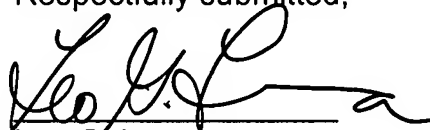
In the Restriction Requirement, the Examiner required that should Group I be elected, a single species of the oxetane compound and the phosphate ester represented by the formulas above must also be chosen for search purposes. Accordingly, the Applicants elect 3-ethyl-3-hydroxymethyl-oxetane and Bisphenol A bisphosphate, which falls within the elected subject matter.

The Applicants reserve the right to rejoin the withdrawn claims upon allowance of the generic claim and respectfully request that the rejoined claims also be allowed.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Favorable action on the merits, and allowance of all claims, is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leo G. Lenna', written over a horizontal line.

Leo G. Lenna

Reg. No. 42,796

Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484 (tel)
(516) 228-8516 (fax)